

The Wants are your advertisement if you are seeking opportunity.

The Times



Dispatch

The Wants are always worth reading.

THE TIMES FOUNDED 1884.
THE DISPATCH FOUNDED 1886.

WHOLE NUMBER, 19,326.

RICHHMOND, VA., SUNDAY, APRIL 20, 1913.

THE WEATHER TO-DAY—Fair.

PRICE FIVE CENTS.

ARTICLE IS TRUE, AND EDITOR IS HELD INNOCENT

Nelson, of Kansas City
Star, Not Guilty of
Contempt.

ATTEMPT MADE TO PUT HIM IN JAIL

Supreme Court Holds That Facts
He Published Were Substan-
tially Correct; That He Had
No Malice in Printing
Them and Comments
Were Justified.

Jefferson City, Mo., April 18.—William R. Nelson, editor and owner of the Kansas City Star, was found not guilty of contempt of court and sentenced to a day in jail last February by Circuit Judge Joseph A. Guthrie. The article itself was "substantially true" and "in the course of the contemptuous," the petitioner should be discharged.

These were the findings reported to the Missouri Supreme Court by its commissioner in the case, Charles C. Crow, of Kansas City.

The article complained of stated that Judge Guthrie had refused to dismiss the divorce suit of Minnie L. against Claude E. Cleveland, until attorneys' fees were paid, and that the refusal came after the Clevelanders had been reconciled, and had asked the dismissal of the case.

Plaintiff Article True. "Your commissioner finds," says the report, "from the evidence submitted and considered that the article referred to was substantially true, and as nearly a correct report of court proceedings as could be expected from a layman, and the experience of your commissioner has been that many lawyers would have made as many errors as appear in this article."

"The author of this article complained of, Mr. Murphy, was a layman, and, moreover, even had he been learned in the law, he would have been of the opinion that the decision in the Cleveland case was unusual in that it imposed conditions upon the rights of the plaintiff to dismiss a suit for divorce."

"Your commissioner is of the opinion that under the evidence, petitioner had no personal knowledge of the article complained of until after its publication, and that Mr. Murphy and Mr. Walter (the man who edited the article), were servants of the petitioner and made an honest effort to report correctly the proceedings that had occurred in the trial of the case in Jackson County, Missouri, without any intention of offending the dignity of or impeding the proceedings of the Circuit Court, and there is no evidence tending to prove that the servants and petitioner conspired to obstruct the due and orderly course of justice as administered by the court or of criticizing the court."

Cause for Comment. "There was cause for comment on the order in the Cleveland case, denying the plaintiff the right to dismiss her case until the husband complied with the conditions imposed in the order, and I am of the opinion that Mr. Murphy was correct in saying that it tended to prevent a reconciliation of husband and wife, in which society is deeply interested."

"Your commissioner finds from all the evidence in the case that the petitioner was merely exercising his right to report and discuss proceedings in a court of justice, and the mere fact that the statements are false, and that mistakes appear in the article, would not render him guilty of contempt. If so, every layman or person learned in the law that misconstrues, misinterprets, or misunderstands the rulings, orders and judgments of our courts would be guilty of an offense, and punishment might be administered, as in this case, by depriving citizens of liberty."

"Your commissioner has heard the court say too often that he has misconstrued, misinterpreted and misunderstood the rulings and judgments of our courts over to come to the conclusion that you must be technically correct in the interpretation of the judgments and rulings of the courts."

"Every person has the right to publish his understanding of what a court has decided and to differ with the court as to what the law is, and also to criticize the law, as long as, at least, as the criticism does not attempt to impugn the motives of the court or to charge corruption or infamy, and thereby attempt to bring our courts into disrepute."

No Evidence of Contempt. "In this case there is no evidence, either in the article itself or in the oral or written evidence introduced, that there was an intention or purpose on the part of the agents or servants of the petitioner to reflect in any way upon the integrity of the courts, and unless the evidence shows that the article in itself is contemptuous, the petitioner should be discharged."

The conclusion that the article was "substantially true," as stated in Commissioner Crow's report, was reached through reports of testimony in the case by Mr. Murphy, of the Star; by Paul Sutemeter, a reporter for the Kansas City Journal, who corroborated Mr. Murphy's testimony, and by testimony of court officials concerned in the original divorce case.

Referring to the articles published in the Star subsequent to the decision of Judge Guthrie, and bearing thereon, the report says:

"Your commissioner admits, over the objection of the petitioner, articles appearing in the Kansas City Star and published by the petitioner, but your commissioner is of the opinion that all the articles which appear in this record should be excused the report says, applies to all articles except an interview with Judge Ralph Latham, of the Criminal Court. This interview, published in the Star, quoted Judge Latham as saying the decision of Judge Guthrie was 'outrageous' and that he would never

JOHNSON ASKED NOT TO SIGN ANY ALIEN LAND BILL

Appeal Is Wired to Him
by Secretary of State
Bryan.

SEEKING TO AVOID OFFENDING JAPAN

Not First Communication That
Has Been Sent to Governor
of California in Effort to
Straighten Out Tangle
Arising From Pro-
posed Legislation.

[Special to The Times-Dispatch.] Washington, April 19.—President Wilson, thoroughly alarmed over the rising tide of anti-American feeling in Japan, caused Secretary Bryan to send a telegram to Governor Johnson, of California, urging a conciliatory policy toward the Oriental nation in the proposed alien land legislation.

The step was taken by the President over the protest of the California delegation, the members of which declare the national government has no right to interfere in matter so vital to the future social and industrial life of that community.

Message to Johnson. Here is the message to Governor Johnson:

"The President directs me to say that while he fully recognizes the right of the people of California to legislate according to their judgment on the subject of land tenure, he feels it his duty to urge a recognition of the international character of such legislation. Being anxious to preserve and strengthen the long-standing friendly relations existing between this country and the nations of the Orient, he very respectfully but most earnestly advises against the use of the words 'ineligible to citizenship.' He asks that you bring this view to the attention of the legislators. He believes the Senate bill as telegraphed to the Department of State is greatly to be preferred. That bill limited ownership to citizens and those who had declared their intention to become citizens."

(Signed) "W. J. BRYAN." The telegram was the result of a two-hour conference between the President and State Department officials. Confidential reports were read, which indicated that the warring political factions in the State Department were making use of the California incident to advance their own ends. The President expressed a desire to be enlightened as to the exact limit of protection conferred upon the Japanese by existing treaties. The State Department pointed out that at that point as far as it can be ascertained, the judicial decisions on the subject matter.

It is not the first communication on this subject of correspondence, it is said, that has been exchanged with Governor Johnson. The postponement by the California Legislature of the alien land bills until next week has the effect to slightly relieve the tension here, though every effort will be utilized in exchange of messages between Washington and Sacramento and other points in California where influential officials reside who may be able to exert some influence upon the course of legislation at the State capital.

President Wilson and Secretary Bryan make no secret of the fact that though they are precluded from officially interfering in the progress of legislation in California, they are privately addressing themselves to individuals to secure the amelioration of the features of the pending land bills offensive to the Japanese government. But taking into consideration the probable results of the final form of legislation may not apply to other aliens than Japanese and Chinese, the administration officials here are giving some thought to the best means of meeting a protest by the Japanese government against the proposed legislation on the ground that it is in violation of treaty obligations.

While Mr. Root, Secretary of State, prepared a memorandum which related to the right of Japanese in the United States to own land for use for agricultural purposes, and his opinion was adverse to the claim. The failure of the Japanese government so far to issue a decree confirming

(Continued on Page Four.)

BALL IS ABANDONED BECAUSE OF GRAFT

Sister of President Wilson Tells
Why Inauguration Feature
Was Eliminated.

[Special, Cable to The Times-Dispatch.] Paris, April 19.—President Wilson's reason for withholding his approval of an inaugural ball was that he had discovered the tremendous graft which had attended all of the previous functions. This was the statement made here by Mrs. Anna Wilson Howe, of Philadelphia, sister of the President.

"My brother's reason for not giving an inaugural ball this year was that he wished to do away entirely with the enormous petty graft which has always been connected with this affair," said Mrs. Howe. Practically the only persons who complained about the lack of the ball were the ones who expected to make money out of the function."

Mrs. Howe is in Paris for a year's stay with her daughter, Mrs. Fern C. Cothran, of South Carolina. The mother said that her daughter had been in ill-health for some time, and found the strain of social duties at the White House too much for her, and that her physician recommended

Chiefs of Countries Now in Serious Disagreement



WOODROW WILSON,
President of United States.

YOSHIHITO,
Emperor of Japan.

THOUSANDS SEE AVIATOR'S FALL

Gray Crashes Into Stand at Ball
Park, Completely Wrecking
His Aeroplane.

BOY SLIGHTLY INJURED

Crowd Flees From Zone of
Danger—Aviator Escapes
Without a Bruise.

While trying to alight in Broad Street Baseball Park yesterday afternoon as thousands of people looked on, George A. Gray, an aviator, crashed into a soda water stand near the northern end of the bleachers, completely wrecking his aeroplane and slightly injuring little Malcolm, eleven years old, of 319 West Main Street. Gray was not injured. His flying craft was demolished, but when he was dragged from beneath the wreckage he was calm and cool. Malcolm, who was attended by Dr. R. A. Horde, was driven home in an automobile, the announced being made last night that he was only slightly hurt.

The accident happened just before the Richmond-Petersburg game started. Gray, who had successfully completed a cross-country flight between Richmond and Petersburg, had made a park to alight on the grounds for the entertainment of the spectators. No definite time had been fixed for the flight, considerable leeway having been granted because of uncertain atmospheric conditions.

Found Team in Field. Shortly after 4 o'clock the white wings of the aeroplane were spreading from the west. Circling above the park and coming nearer and nearer to earth, Gray seemed ready to give another spectacular performance. There are varying opinions as to the cause of the accident. Gray maintains that while the management held a free field, he was to alight under any conditions that he may have found. Regardless of the merits of this contention, the fact is that when he swooped, unannounced into the grounds, the Richmond club was practicing.

As the aeroplane spread itself scarcely fifty feet above the diamond, the thousands seated in the stands expected a crash, though their fear was largely for the players. It was evident that Gray intended to alight amid the throng, and he did so. Finding this occupied, he started to rise above the fence in the extreme eastern section, where thousands of colored fans were gathered. His motor had stopped and he was

(Continued on Tenth Page.)

BILL COMES THROUGH CAUCUS UNSCATHED

POPE INSPIRED WITH NEW VIGOR

He Is Cheer'd Greatly by Pres-
ence of Members of
His Family.

Rome, April 19.—The visit to the Pope to-day of his brother, Angelo Sarlo, postmaster of the village of Gracis, was one of the tenderest episodes of the election. There is a difference in age between them of only one year, but Angelo, with his robust frame, seemed ten years younger than the Pope, who appeared thin, languid and pale. The aviator Marchisava, who was present at the meeting, declared that the scene was so touching that his own eyes were wet.

The presence of the members of his family around him has inspired the Pope with new vigor, and the bright sunshine flooding his room this morning caused him to explain: "On such a day as this I can not imagine that anyone could be ill."

Reports of the Pontiff's condition to-night indicate that there has been no recurrence of unusual symptoms. It is pointed out that for four days practically no fever has been present, and that the Pope is suffering only from minor ailments, which on occasions are somewhat annoying.

The bronchial affection is diminishing. The patient, however, is weak and has periods of depression. With increased ability to take nourishment, the shock, which the Pope's strength will return, and that soon he will be considered out of danger.

Frequently during the height of his illness the pulse ran above 100; it is now reported to be from 70 to 75. Rumors of various conditions continuing to be circulated, and it has been reported that Dr. Marchisava and Dr. Amiel insisted that the Pope should have last communion, but that Dr. Marchisava opposed this to avoid the shock, which the night cause the patient. This report is absurd as the Pope has taken communion every day since his illness began, so that in the words of the Pontiff himself: "Death will not find me unprepared."

EXAMINES HIS PATIENTS

All Information Regarding Their Con-
dition Is Refused.

[Special to The Times-Dispatch.] New York, April 19.—Dr. Friedrich Franz Friedmann declared to-day that he returned to New York in accordance with his plans to continue the treatment of the patients who were already received one inoculation with the turtle serum, and that his return was hastened by the letter from the government.

"My movements are entirely directed by the government," said Dr. Friedmann. "I have no plans to return to Europe until my mission here is completed, and I will not as the patients who have been subjected to my only consideration."

Dr. Friedmann to-day examined twenty of the thirty-six patients treated by him recently at Bellevue Hospital. All information regarding the condition of these patients was refused. Dr. Friedmann said, however, that none of the patients was yet in condition to receive second inoculation. It was learned that some of the patients have gained in weight, but not to a greater extent than several other patients who have not received the Friedmann treatment.

This morning Dr. Friedmann held a long consultation with Carl Schurz, his attorney, regarding the negotiation of the amendments to the bill with marketing the serum. Friedmann declared that he is not anxious to arrange this matter at the present time.

MUST FACE CHARGES

Banker Glover Declared to Be in Con-
tempt of House.

Washington, April 19.—Leaders of the House of Representatives decided to-day that Banker Charles C. Glover, who yesterday slapped the face of Representative Sims, of Tennessee, for criticizing him, shall be brought before the House on a charge of contempt.

Members of the Tennessee delegation are determined that the affront offered yesterday, and which, until now, has been regarded as a private incident, should be closed. They will bring the matter up Monday, and by resolution will demand that Mr. Glover be arrested and brought before the bar of the House to make his explanation.

Measure as Approved by Wilson
Now Ready for Debate
in House.

MAY BE PASSED BY MAY 15

Opponents of Free Wool and
Sugar Have Little Chance to
Defeat Legislation.

Washington, April 19.—The Democratic tariff revision bill, with its sweeping reductions, a lengthy free list, augmented to-day by the Ways and Means Committee, and its income tax, now is ready for debate in the House. Approval late to-day by the Democratic caucus, as amended in two weeks' discussion by the committee in minor matters, the bill will be reintroduced Monday by Speaker Underwood. It will be reported favorably by the majority of the Ways and Means Committee Wednesday and then called up for debate by Mr. Underwood predicted that the bill would be passed in the House by May 15.

Two months the administration leaders think a generous time to allot the bill for its consideration and passage, and unless it is decided to bring in a currency bill thereafter, Congress should be ready to adjourn about July 15. The bill as approved by the Democratic caucus through the House, a cubic foot, to put it on the same basis as marble; diamonds, uncut, are unchanged, but cut diamonds, increased from 15 to 20 per cent; castor oil reduced from 15 to 12 per cent; seal and herring oil, reduced from 5 to 3 per cent; sperm oil increased from 5 to 8 per cent; vanilla beans reduced from 5 to 30 cents a pound; salts and other compounds and mixtures of which bismuth, gold, platinum, rhodium, silver, tin and uranium constitute the chief value, cut from 15 to 10 per cent.

The principal changes made in the bill were: Shoe machinery, buckwheat, rye, rabbit fur and phosphoric acid transferred from dutiable to the free list; a cubic foot, to put it on the same basis as marble; diamonds, uncut, are unchanged, but cut diamonds, increased from 15 to 20 per cent; castor oil reduced from 15 to 12 per cent; seal and herring oil, reduced from 5 to 3 per cent; sperm oil increased from 5 to 8 per cent; vanilla beans reduced from 5 to 30 cents a pound; salts and other compounds and mixtures of which bismuth, gold, platinum, rhodium, silver, tin and uranium constitute the chief value, cut from 15 to 10 per cent.

Representative Hardwick insisted it would be a mockery not to draw the lines closely on the offering of amendment. He introduced a resolution which was referred for subsequent action, providing that the tariff bill shall be passed under a special rule, restricting general debate to eight legislative days, and that the minority in the House shall be limited on the offering of the amendments to not more than two amendments and section of the bill, and to not more than two amendments to the bill as a whole and that no other amendments shall be in order."

Free Sugar in 1916.

The caucus adopted an amendment fixing May 1, 1916, as the date when raw sugar should go on the free list. The time when the income tax shall become effective, was left subject to future disposition by the House.

The big argument in caucus to-day was over the provision that would allow 5 per cent discount on merchandise imported "in vessels built in the United States, and which, until now, has been referred for substitution wholly the property of United States citizens."

Representative Harrison, of Mississippi, led a fight against this proposition, on the ground that it vio-

(Continued on Second Page.)

MORGAN WILL OPENS WITH CONFESSION OF HIS RELIGIOUS FAITH

Financier Commits Soul to His Saviour, and
"Entreats Children to Maintain and Defend
Blessed Doctrine of Atonement for Sin
Through Blood of Jesus Christ."

DOCUMENT MOST REMARKABLE OF ANY LEFT BY FAMOUS MEN

Widow Receives \$1,000,000, While Daughters Are
Given \$3,000,000 Each—Charitable Bequests
Comparatively Small, and in Line With His Life-
time Benefactions—Employees and Servants All
Generously Remembered—His Son, John P. Morgan,
Jr., Is Made Residuary Legatee, and Is Given Fam-
ous Collection of Art Objects, Books and Manu-
scripts—Total Amount of Estate Will Not Be
Known Until Appraisal Is Made to Determine Tax
Due State—Will Drawn in Orderly and Logical
Fashion Which Always Marked Morgan's Mental
Processes.

J. P. Morgan's Fortune the Largest Ever Bequeathed in America

Lowest estimate of value of his real estate, bank, railroad,
industrial and other stocks, \$40,000,000.
Value of art collections, conservatively estimated, \$60,000,000.
Total, \$100,000,000.

HOW IT COMPARES WITH OTHER INHERITED FORTUNES.

John Jacob Astor, \$87,216,681.
E. H. Harriman, \$68,856,654.
Cornelius Vanderbilt, \$68,350,000.
Russell Sage, \$70,000,000.
John L. Kennedy, \$65,558,000.
Marshall Field, Chicago, \$70,000,000.
Jay Gould, \$75,000,000.
W. H. Vanderbilt, \$40,000,000.
Mr. Morgan left \$3,000,000 to each daughter; \$100,000 a year income and residences in town and country to wife; residuary estate absolutely to his only son.
Colonel Astor left \$5,000,000 to wife; \$5,000,000 to daughter and residuary to his son, Vincent.
Mr. Harriman and Mr. Sage left their entire fortune absolutely to their wives, without reserve.
Cornelius Vanderbilt left \$1,000,000 to eldest son and namesake, and more than \$50,000,000 to second son, Alfred.
Jay Gould left \$5,000,000 special bequest to eldest son, George, and divided all the rest equally among his five children, boys and girls alike, giving each one more than \$10,000,000.
W. H. Vanderbilt gave \$5,000,000 to each of five daughters, to be held in trust, bulk of the estate to three sons, Cornelius, W. K. and George.
Marshall Field left about \$10,000,000 to public museums and charities and tied up \$55,000,000 to be held intact during the life of his daughter and grandchildren.

New York, April 19.—"I commit my soul into the hands of my Saviour, in full confidence that, having redeemed it and washed it in His most precious blood, He will present it faultless before the throne of my Heavenly Father, and I entreat my children to maintain and defend, at all hazard and at any cost of personal sacrifice, the blessed doctrine of the Complete atonement for sin through the blood of Jesus Christ, once offered and through that alone."

This is the extraordinary and striking utterance which begins the last will and testament of John Pierpont Morgan, who died at Rome on March 31 last, whose body, heaped over with flowers from the crowned heads of Europe, was, a fortnight later, brought back to his own land and last Monday was borne to its last resting place at Hartford.

Most Interesting of Famous Men's Wills. Ever since the funeral the publication of the great financier's last will has been awaited with keen expectation, and it is safe to say that of all the interesting testaments of eminent citizens of America, that of Mr. Morgan, to be offered for probate Monday morning, is by far the most interesting.

As to the amount of the estate, which is one of the first questions the public naturally is asking, there is nothing in the will to give any accurate idea, and the executors declare that no announcement will be made on this point until the appraisal has been made for determining the State inheritance tax.

The amount of bequests and trusts, named by specific sums, is under \$20,000,000, but the entire residue of the estate is left to J. P. Morgan, Jr., who is designated by his father to become the chief heir, not only to his fortune, but to his many charitable and artistic activities.

As to the will itself, it is unusual in many of its features, and, according to those two or three intimate friends who already have had a glimpse of it, it is a portrait of Mr. Morgan himself, beginning with the striking confession of his religious faith (aside of his character which was known to his close associates, but not to the world), and running through all its thirty-seven articles, duly set forth in the same logical and orderly fashion which his friends as marked all Mr. Morgan's mental processes. He has apparently provided with painstaking care for every contingency that might affect his family or his banking firm, and to his executors, namely, his son, John Pierpont Morgan, Jr.; his two sons-in-law, William Pearson Hamilton and H. L. Satterlee, and his friend, Lewis Cass Ledyard, he gives careful directions under many clauses as to alternate courses of procedure. It is to be noted also that his grandson, Junius Spencer Morgan, Jr., a young man of only twenty-one, now a student at Harvard, is repeatedly nominated to take up important duties in the event of the death of his father, John P. Morgan, Jr.

Wonderful Collection Is Left to His Son.

In this city the question most frequently asked by leading citizens and learned societies has been that as to the disposition of Mr. Morgan's wonderful collection of pictures and other art treasures.

Mr. Morgan makes perfectly plain what his own hopes on this point have been, and yet leaves his son, who is his residuary legatee, entire freedom in the matter, using the following significant language:

"I have been greatly interested for many years in gathering my collections of paintings, miniatures, porcelains and other works of art, and it has been my desire and intention to make some suitable disposition of them permanently available for the instruction and pleasure of the American people. Lack of the necessary time to devote to it has as yet prevented my carrying this purpose into effect. Unless I shall accomplish it or make some disposition of these collections in my lifetime, they will pass to my son, J. P. Morgan, Jr., or to his son, Junius Spencer Morgan, Jr., under the foregoing clauses of this will, whereby I dispose of my residuary estate. Should either my said son or my said grandson thus succeed to the ownership of these collections, I hope he will be able, in such manner as he shall think best, to make a permanent disposition, or from time to time permanent dispositions, of them, or of such portions of them as he may determine, which will be a substantial carrying out of the intentions which I have thus cherished. It would be agreeable to me to have the Morgan memorial, which forms a portion of the property of the Wadsworth Atheneum at Hartford, Conn., utilized to effectuate a part of this purpose. I do not, however, by the expression of these wishes, intend to impose upon my said son or my said grandson any duty or obligation, legal or moral, nor to qualify in any manner or in any degree his absolute and unequalled ownership of said collections, should they pass to him under this will."

Charitable Bequests Comparatively Small. The public charitable bequests are, as was predicted by many of those conversant with his immense benefactions made during his lifetime,

(Continued on Second Page.)